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09/866,131	05/25/2001	Michael Stapp	79269.917	4427

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EXAMINER

RUTTEN, JAMES D

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/866,131

Applicant(s)

STAPP ET AL.

Examiner

J. Derek Rutten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2 and 3.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-34 have been examined.

#### *Oath/Declaration*

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56. While it refers to 37 CFR 1.56(a), it does not include sections (b)-(e).

#### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following items must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

- Data capture screens (Claims 2 and 19)
- Writing specification in XML data nodes (Claims 3 and 20)
- Generating Enterprise JavaBeans, servlets, JavaServer Pages, and Java classes (Claims 4 and 21, 5 and 22, 6 and 23, and 7 and 24, respectively)
- Specifying user data using an API (Claims 8 and 25)
- Modification of XSLT templates (Claims 9 and 26)
- Lookup Table (Claims 11 and 28)
- XSLT templates (Claims 12 and 29)

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- Connecting based on a context (Claims 14 and 31)

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

4. The abstract of the disclosure is objected to because it should be limited to one paragraph and contain 50-150 words. Correction is required. See MPEP § 608.01(b).

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Source Code Generation using a Processing Pipeline".

6. The use of the trademarks Java, Enterprise JavaBeans, EJB, JavaServer Pages, and JSP has been noted in this application. They should be capitalized wherever They appear and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

7. The attempt to incorporate subject matter into this application by reference to U.S. Patent Application Serial Number 08/931,878 is improper because it is not a commonly owned application. See MPEP § 608.01(p).

### *Claim Rejections - 35 USC § 112*

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 4 and 21 contain the trademark/trade name "Enterprise JavaBeans". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe cross-platform, server-side applications that can run a variety of systems usually present in an enterprise environment and, accordingly, the identification/description is indefinite.

Claims 6 and 23 contain the trademark/trade name "JavaServer Pages". This trademark/trade name is used to identify/describe dynamic web pages on a web server and, accordingly, the identification/description is indefinite.

Claims 7 and 24 contain the trademark/trade name "Java". This trademark/trade name is used to identify/describe an object-oriented programming language data structure and, accordingly, the identification/description is indefinite.

#### ***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 2, 8, 10, 13, 14, 18, 19, 25, 27, 30, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,675,801 to Lindsey (hereinafter referred to as “Lindsey”).

As per claim 1, Lindsey discloses:

*A method for generating source code (column 12 lines 7-33) comprising:*

*obtaining user specification for generating program code in a standard format language (column 2 line 67 – column 3 line 2: “a system is provided for converting an **object oriented program specification** into source code for a target language,”);*

*constructing a processing pipeline comprising one or more pairings of pipes and filters for processing data (column 3 lines 3-8 and 11-15: “each code template corresponding to a different construct in the target language and comprising fragments of code; **means for determining** whether each object in the object oriented program specification correspond to one of the constructs, and, if not, **recursively generating** any non-corresponding object to generate contained objects ... means for **mapping** each of the corresponding objects to the code templates which corresponds to the corresponding constructs; and means for **parsing** the mapped code templates to produce*

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source code in the target language.” Comment: Recursive generation involves utilizing pipes to transfer each code construct, and filters are indicated by the means for mapping and parsing.); *and*

*translating said specifications into a program source code using said pipeline* (column 3 lines 14-15 as cited above.).

As per claim 2, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of obtaining user specification further comprises presenting one or more data captures screens* (column 5 line 67 – column 6 line 3).

As per claim 8, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of obtaining user specification further comprises using an API to specify user data* (column 6 lines 32-54 describes the inherent use of an API according to the Smalltalk virtual machine).

As per claim 10, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of constructing a processing pipeline further comprises reading configuration data* (column 3 lines 28-33 describes use of configuration data which must inherently be read to be used).

As per claim 13, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of constructing a processing pipeline further comprises*

*connecting said one or more pairings of pipes and filters* (FIG. 3 element 50 shows a set of connected pipes and filters).

As per claim 14, the above rejection of claim 13 is incorporated. Lindsey further discloses: *wherein said step of connecting said one or more pairings of pipes and filters further comprises performing said connecting based on a context* (column 3 lines 5-11 describes connecting recursive filters based on the context of a previous filter).

As per claims 18, 19, 25, 27, 30, and 31, Lindsey discloses a computer program product (column 12 lines 34-60). All further limitations have been addressed in the above rejections of claims 1, 2, 8, 10, 13, and 14, respectively.

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3, 15, 20, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey as applied to claims 1 and 18 respectively above, and further in view of U.S. Patent 6,463,440 to Hind et al. (hereinafter referred to as "Hind 440").



As per claim 3, the above rejection of claim 1 is incorporated. Lindsey does not expressly disclose use of XML data nodes.

However, in an analogous environment, Hind 440 teaches reading a specification written in the XML markup language and applying an XSL style sheet to it (column 2 lines 23-41). The XML markup language is inherently structured as a data tree with nodes as the leaves of the tree.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to format Lindsey's specification language using XML. One of ordinary skill would have been motivated to store data in a self-defining, portable manner.

As per claim 15, the above rejection of claim 1 is incorporated. Lindsey does not expressly disclose an XSL engine.

However, Hind 440 teaches using an XSL engine (processor) to filter data (column 2 lines 25-31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hind 440's XSL engine in Lindsey's code generator. One of ordinary skill would have been motivated to transform a document encoded in one markup language into another language to make that document compatible with a preexisting system.

As per claims 20 and 32, the above rejection of claim 8 is incorporated. All further limitations have been addressed in the above rejections of claims 3 and 15, respectively.

14. Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey as applied to claim 1 above, and further in view of "Enterprise JavaBeans™" by Sun Microsystems (hereinafter referred to as "EJB 1.0").

As per claim 4, the above rejection of claim 1 is incorporated. Lindsey further discloses generating a plurality of target languages (column 3 lines 26-28). Lindsey does not expressly disclose generation of Enterprise JavaBeans™.

However, in an analogous environment, EJB 1.0 teaches the specification of the Enterprise JavaBeans architecture.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to generate Enterprise JavaBeans from Lindsey's code generator. One of ordinary skill would have been motivated to develop and deploy object-oriented distributed enterprise-level applications that are scalable, transactional, and multi-user secure.

As per claim 21, the above rejection of claim 8 is incorporated. All further limitations have been addressed in the above rejection of claim 4.

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15. Claims 5-7, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey as applied to claim 1 above, and further in view of U.S. Patent 6,715,129 to Hind (hereinafter referred to as "Hind 129").

As per claim 5, the above rejection of claim 1 is incorporated. Lindsey further discloses generating a plurality of target languages (column 3 lines 26-28). Lindsey does not expressly disclose generation of servlets.

However, in an analogous environment, Hind 129 teaches servlets written in the Java programming language (column 1 lines 32-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to generate Java servlets from Lindsey's code generator. One of ordinary skill would have been motivated to add servlets to a web server to generate content, or portions of the content, for a web page.

As per claim 6, the above rejection of claim 1 is incorporated. Lindsey further discloses generating a plurality of target languages (column 3 lines 26-28). Lindsey does not expressly disclose generation of JavaServer Pages .

However, in an analogous environment, Hind 129 teaches the use of JavaServer Pages to access servlets, the Java API, and the JavaBeans API (column 1 line 58 – column 2 line 17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to generate JavaServer Pages from Lindsey's code generator. One of ordinary skill would have been motivated to enable servlet code to use a scripting paradigm for easy Web content application building.

As per claim 7, the above rejection of claim 1 is incorporated. Lindsey further discloses generating a plurality of target languages (column 3 lines 26-28). Lindsey does not expressly disclose generation of Java programming language classes.

However, in an analogous environment, Hind 129 teaches servlets written in the Java programming language (column 1 lines 32-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to generate Java servlets from Lindsey's code generator. One of ordinary skill would have been motivated to generate code in a platform independent object-oriented language that would enable users to access an application from many types of computers.

As per claims 22-24, the above rejection of claim 8 is incorporated. All further limitations have been addressed in the above rejections of claims 5-7, respectively.

16. Claims 9, 12, 26, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey as applied to claim 1 above, and further in view of "XSL Transformations (XSLT)" by W3C (hereinafter referred to as "W3C").

As per claim 9, the above rejection of claim 1 is incorporated. Lindsey further discloses modifying a set of templates in response to an input (column 3 lines 11-14). Lindsey does not expressly disclose modification of XSLT templates.

However, in an analogous environment, W3C teaches the specification of the XSLT language for transformation of XML documents (page 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use XSLT templates in Lindsey's code generator. One of ordinary skill would have been motivated to express a transformation in a portable, well-formed document that enables the transformation of data into several formats.

As per claim 12, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of constructing a processing pipeline further comprises selecting one or more templates* (column 3 lines 2-7). Lindsey does not expressly disclose XSLT.

However, W3C teaches the specification of the XSLT language (page 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the XSLT language in Lindsey's templates. One of ordinary skill would have been motivated to express a transformation in a portable, well-formed document that enables the transformation of data into several formats.

As per claims 26 and 29, the above rejection of claim 8 is incorporated. All further limitations have been addressed in the above rejections of claims 9 and 12, respectively.

17. Claims 11, 16, 17, 28, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindsey as applied to claim 1 above, and further in view of “Computer User’s Dictionary” by Microsoft Press (hereinafter referred to as “Microsoft”).

As per claim 11, the above rejection of claim 1 is incorporated. Lindsey further discloses: *wherein said step of constructing a processing pipeline further comprises looking up a set of appropriate filters* (column 3 lines 5-7). Lindsey does not expressly disclose a lookup table.

However, in an analogous environment, Microsoft teaches the use of a table to look up data (page 337 “table lookup”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Microsoft’s table in Lindsey’s lookup. One of ordinary skill would have been motivated to store data in a logical structure to enable fast and efficient searching.

As per claim 16, the above rejection of claim 1 is incorporated. Lindsey does not expressly disclose streaming data.

However, in an analogous environment, Microsoft teaches the concept of a stream that transfers data (page 329 “stream”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Microsoft’s stream in Lindsey’s pipes. One of ordinary skill would have been motivated to transfer data continuously in a steady flow so that the output of one filter could be connected to the input of another.

As per claim 17, the above rejection of claim 16 is incorporated. Lindsey does not expressly disclose error checking.

However, Microsoft teaches the concept of error checking (page 132 “error checking”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Microsoft’s error checking with their data stream. One of ordinary skill would have been motivated to detect and correct the loss of data due to the accidental overwriting of data that can occur during streaming.

As per claims 28, 33, and 34, the above rejection of claim 8 is incorporated. All further limitations have been addressed in the above rejections of claims 11, 16, and 17, respectively.

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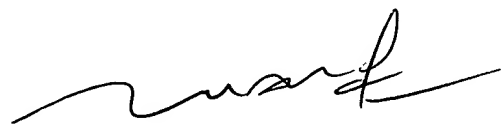
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (703) 605-5233. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jdr



**TUAN DAM  
SUPERVISORY PATENT EXAMINER**